ATTORNEYS UNITE IN STATEMENT

(Continued from page sue)

for the support and maintenance of in this circuit by C. H. Olson as next the child until he reaches the age of friend of the child, and the proceed-

This request Mr. Smart has stated by As a part of the compromise Mr

ed for the benefit of the child two- house and place known as "Puuopelu."

the child arrives at his majority un-ranch products free of charge for

fit of the child two-thirds of the Par- coast on the Lurline last week in the ker Ranch property, the conveyance care of Mrs. Lemon, who has been

the child dies before it reaches the The agreements or at least some of

age when it could lawfully make a them, that go to make up the compro-

will, one-half of the ranch property mise, are long and complicated, but

retained by Mr. Smart unless the FREAR, PROSSER, ANDERSON &

upon Mrs. Knight's death, go to the foregoing states in substance the

Will's Bequests Now Stand

MARX

til Mrs. Knight's death. He has also household use as heretofore.

death.' Under the trust deed, too, if clusion of the compromise.

her nominees, and the other half be main points of the settlement.

conveyed to the trustee for the bene-| The child Richard left for

effect. By the compromise Mr. Smart Knight and the child Richard, the Honolidius

Company. Limited, one-fourth of the Smart.

the latter arrives at his majority, tion.

income left him by his late wife's will.

## DIVISION OF THELMA PARKER ESTATE SETTLED City Transfer Co.,

PROCEEDINGS DISMISSED.

probate of the second will, will both

affidavit he regards as of a manda- Alfred W. Carter, who is trustee of miles off port at sociolek last might, tory nature, although counsel for Mrs. the Parker ranch property, under a sailed from Sydney, N. S. W., with

## SMART CASE COMPROMISED; ALL PARTIES REACH FIRM AGREEMENT

(Continued from page one)

out to restinanted that until me reaches the age of lethis net places in trust with the Trent Trust and the remainder be retained by Mr. become will be not reone than \$10,000 per annum.

Judge Williams toolay appointed H. R. Macfarlane, Willard This amount is primarily to be used administration proceedings instituted E. Brown and John Marcallino as appraisers of the estate.

### ANNOUNCEMENT OF COMPROMISE

The compromise agreement, a bulky document of 50 type. twenty years. In the will of Thelma ings instituted by Mrs. Knight for the written pages, was finally prepared and agreed to by Mrs. Knight, H. G. Smart and aespective counsel early last week. when it was submitted to Judge Perry, the child's temporary guardian. He peeased it, gave it his stamp of approval and placed it in Circuit Judge Whitney's hands last Saturday

It is a complicated affair, involving almost every phase Knight and Mr. Olson were doubtful deed of trust formerly executed by as to such construction or its binding Thelma, grants to Mr. Smart. Mrs. refrigerated products for delivery at of the immunerable contentions raised by either side and every contingency that might devolve upon the death of Mrs. Knight. has conveyed to the trustee mention- right at all times to reside at H. G. Smart or Richard Smart.

### All in Readiness For Dropping Of Case Before Circuit Court to take effect upon Mrs. Knight's notified by wireless today of the con-

tions to the third will, to Judge Whit Judge Wilder, but as he was as guardian.

PROBATE.

mitted to probate. The request was signing of the document

For the first time since the famous peared in court. He was called to the | both of whom are out of Honolulu. witness stand, where he testified per-

Judge W. B. Lymer and Attorney both withdrew in Smart's favor.

Smart case was called in Judge Whit- stand, the former testifying to the exney's court this morning, and with coution of the much debated final filed and approved. Attorneys for firm's offices by Smort and Mrs. Mrs. Knight withdrew their object Smart. The couple were seeking ney's qualifications to sit in the hear- present Judge Lymer took the responing, and to Judge Perry's appointment sibility of executing the testament He said Mrs. Smart had the paper in her possession at that time and that she handed it to him. He called Attorney Fred W. Milverton of in B. S. Uhlrich, a young lawyer, and Smart's counsel then presented the Miss E. C. Pratt, a stenographer, who third will and asked that it be ad-tegether with himself witnessed the

Thompson merely identified the siglitigation began, H. G. Smart ap-inatures of Miss Pratt and Uhlrich, Among the papers filed today were functorily to the facts regarding his renunciations by A. W. Carter and marriage, Mrs. Smart's death and the Olaf V. Sorenson as joint executors execution of the last will. He was under the last will. Mrs. Smart had Mrs. Knight's named them, in conjunction with her husband, to serve as executors, but

assembled at the Parker home, the

third and last will appeared, unex-

the remaining child and con-

young heiress' death. She declared

case to a finish for the possession of

davits, making charges against the slowly until the successful compro-torpedoed, including three not sunk.

sisting chiefly of the big stock ranch

Trust Company, in Honolulu.

ber 17, 1914, at San Francisco.

tives.

History of Smart Case in Brief

worth at least \$3,000,000. A few mother, and her family.

And Summary of Big Legal Fight

Annie Thelma K. Parker was sole on the Big Island. Shortly thereafter

heir to the huge Parker estate, con- while the members of the family were

at Waimea, Hawaii, estimated to be pectedly to Mrs. Knight, the heiress

months after her eighteenth birthday Mrs. Knight at once employed coun she was married to Henry Gaillard sel, the firms of Frear, Prosser & An-

Smart, son of a Virginia clergyman, derson & Mark and Holmes. Stan-

and who for several months had been ley & Olson, and instituted the

employed as a clerk for the Trent big fight for the custody of

The marriage took plice at the trol of the estate. Filing a peti-

Parker home on the ranch, July 25, tion in Circuit Judge Matthewman's

1912. Two children were born to the court at Kailua, for her own appoint-

union, the first, Richard Smart, on ment as the child's guardian, Mrs

May 21, 1913, at Honolulu and the Knight made charges of a sensational

second at Paris, France, on Septem nature against H. G. Smart, the fath-

ber 2, 1914. The second baby was a er, alleging his unfitness to have the

victim of tuberculosis and lived only custody of the baby boy. "Cruel, in-

20 days. The mother's health had human, unfeeling and neglectful

begun to fail shortly after the first treatment" she described his actions

child's birth and she did not long sur- prior to his wife's death and averred

vive the second one, dying on Novem to this was due in large part the

Just prior to her marriage to Smart him an unnatural husband and faththe Hawaiian heiress had placed her er, whose sole idea was to gain pos-

estate in a trust, of which Alfred Car- session of his wife's property; to

ter was named trustee, and under the have neglected his wife on her death-

terms of which the heiress received bed and to have paid undue attention

about \$2000 a month income and her to a nurse named in the documents

time she also made a will which large. This petition was filed January 8

ly favored her mother. She later Henry G. Smart arrived in Honolulu

made a second will, also strongly fav. from Waimea the following day and

oring her mother and her own rela- announced his intention to fight the

The remains of the heiress were the child. On January 13 the will was

brought from the Ceast to Hawaii and filed in the first circuit court at Ho-

Compromise Plan Once Before Was

mother \$1500 a month. At the same as "Miss Hale."

buried in the family tot at Waimea, nolulu.

hotly at Kailua, in Judge Matthew- San Francisco,

land and flore, and to have continu-developments.

### Good: Asked Provision For Son The last Thelma Parker Smart will, To my cousin, Charlotte known as the "third will," made spe-Dowsett ..... cific bequests aggregating \$167,000. To my friend, Suzette C. These bequests, under the compro-Newton .....

child Richard, dies leaving issue, in

which event it will go to the issue,

mise now reached, stand good. Of the total bequests, \$50,000 goes to Henry Gaillard Smart and \$25,000 to Frederick S. Knight, Mrs. Smart's stepfather. The will gave the entire residue of the big estate to Smart, virtually without condition, requesting however, that he make due provision for his son, giving the latter twothirds of the income and two-thirds of the estate when the trust terminated husband any and all of the above legaby the death of Mrs. Knight.

The bequests were as follows: To my husband, Henry G.

Smart .....\$50,000 To my stepfather, Frederick S. Knight ...... 25,000 To my aunt, Harriet Dowsett, widow of my deceas-

ed uncle. James I. Dowsett ...... 5,000 To my aunt, Martha Dowsett, wife of my uncle, A.

To my aunt, Annie Kirkal-To my aunt Marion Worth-

C. Dowsett ..... 5,000

ington ...... 5,000 To my aunt, Eva Woods ... 5,000 To my aunt, Helen Wide-To my uncle, Ernest Parker 5,000

To my uncle, James Parker 5,000 To my brother-in-law, Richard Davis Smart. Jr.... 5,000 To my brother-in-law, Wyatt Aiken Smart ..... my brother-in-law,

Frank Pelzer Smart ... 5,000 To my sister-in-law, Ella Aiken Smart ..... To my cousin, Ilene Maguire, daughter of my de-

ceased aunt, Mary Ma-

To my friend, Harriet Brad-To Kaeo Kailikini ...... To Wailaahia Kailikini.... To Mary Silva Freitas ... To my friend, Alfred W. Carter, as evidence of my appreciation of his many services to me "I further give and bequeath to my cies which shall or may lapse by read [1. S. A. T. DIX-Arrives from Jason of any legatee not surviving the termination of said trust.

"I give, devise and bequeath all of Schooner Made Steamer Time. the rest, residue and remainder of Smashing all records made by sailsaid property, after said payment of ing vessels between San Francisco said legacies, to my said husband, and Tatoosh during the past fifteen Henry Gaillard Smart, and I request years, the American ship Santa Clara, my said husband. Henry Gaillard Capt. Hasse, has just made the run Smart, to give to each of my children, in three days and 24 hours. The from the time that he or she becomes Santa (lara is one of the Alaska of age, one share or two-thirds of the Packers' fleet and was bound from net profits from said rest, residue and San Francisco for the cannery at remainder of said property, and in Blaine. The vessel left here March case of the death of any of my chil- 27 and passed in at Tatoosh March dren before that time, leaving lawful issue, the share of said net profits which he otherwise would have given many clipper ships made the run up to the child so dying.

"Should my said husband, Henry Gaillard Smart, be dead at the termination of said trust, I give. devise and twenty years. bequeath all of the rest, residue and remainder of said property, after said payment of said legacies, to my children who shall be living at the termination of said trust, in equal shares Francisco, the Matson Navigation the parent would have taken if he or of sugar supplied from plantations on she had survived until that time.

Gives Statement Showing Vessels Sunk

Near Completion, Then Abandoned A few days after the third will was ed during their residence at Paris and statement showing the losses to Brit- this attractive play of Sir Arthur filed Judge Whitney appointed Judge after their return to the United ish and neutral shipping due to sub- Pinero. Antonio Perry guardian ad litem of States, throughout Mrs. Smart's ill. marine warfare from December 31. the child. Meantime the fight waged ness up to the day of her death at 1914, to March 17, 1915, together with

man's court, where Mrs. Mary Ann in answer Smart also brought sen. as follows: pointment of Judge Perry and asked tempt to patch up an amicable settle- from ports of the United Kingdom dur- al prison. that Judge Perry be removed and he, ment. Affairs progressed several ing this year, both prior and subseof the minor. An effort was made to German government to commence.

tending parties, in the form of affi- Smart, who should have the guardian- be of interest to your readers." Kinney, former prominent local law- the age of 16. But no third party December 31, 1914 to March 17, 1915, cident. yer, now residing in Nova Scotia, had satisfactory to all concerned could be there were \$218 arrivals and 7529 been engaged by Mrs. Knight and found, and for a time negotiations sailings of oversea steamers (over came on to Hawaii, stopping at San were declared to be off. But they 300 tons net) of all nationalities at Francisco long enough to gather a were resumed again more than a United Kingdom ports. Of this numformidable mass of sensational affi-month ago and have moved forward ber 30 British merchant vessels were

character and conduct of Smart. The mise was fixed upon a week ago. Lives lost numbered 76. unseemly conduct was alleged to have! The Star-Bulletin definitely fore! As to neutral losses the list shows began before Smart and his wealthy cast the compromise some time ago that from February 19, 1915, to Feb Good, capable, experienced write we young wife bit Honolulu for the main- and yesterday again forecast today's ruary 23, two Norwegian ships were man to manage store and wait on terpedoed and one Norwegian ship! customers, Phone 4225.

if more than one, and to the lawful issue who shall survive until the termination of said trust, of my children night. The vessel was delayed some who shall die before that time, taking hours by heavy seas and strong by right of representation the share gales. It will take a return shipment

PART IN "AMAZONS"; HE HAS WON NAME ON STAGE It has been many years since William Lewers appeared before a Honolulu audience, and since then he has ried a part cargo of merchandise and made a name for himself which is respected throughout the United of sugar at the Hawaii port for de-

WILL LEWERS TO TAKE

States. He is one of America's favorites and it is only due to his retirement from the stage that Hono-Acting British Consul Phipps | Indu will have the opportunity of wellulu will have the opportunity of welthe evening of April 28, in "The Amazons" at the Hawaiian Opera house, given by the Honolulu Dramatic lub. Mr. Lewers was born and The Star-Bulletin today received brought up in Honolulu. He is takfrom the local British consulate a ing the part of Lord Tweenways in

Charged with having entered the a letter from Acting Consul G. Phipps, servants' quarters at the Mark Robinson, Samuel Walker, George R. Car-Lemon was finally appointed custo- sational charges against Mrs. Knight "I beg to enclose a paper showing ter and other places in Nuuanu valdian of the child, wien Attorney D. L. and her husband, to prove that she the small results of the German sub- ley, taking valuable articles, includwas unfit to have the care of the marine warfare directed against mer- ing money, from Japanese and Chi-Attorney C. H. Olson, appearing in child. This phase of the controversy chant shipping. The tables show the nese, J. Keopuhiwai was today arrest-Judge Whitney's court as self-selected continued until about February 1, losses to British and neutral shipping ed by Capt. of Detectives McDuffie. "next best friend of the minor," en when the attorneys came together out and the proportion which these bear According to the police Keopuhiwai tered vigorous protest against the ap- of court in their first tentative at to the total arrivals at and sailings has been on parole from the territori-

Olson, be appointed to that office, weeks and late that month seemed on quent to February 18, the date from mined. No lives were lost. On March Judge Perry's name had been suggest a fair way to an agreement when they which the above mentioned submarine 13, the Swedish steamer Hanna was ed to Judge Whitney by F. E. Thomp- struck a snag over the guardianship warfare was officially declared by the torpedoed off Scarborough, six lives being lost. On February 19, the Am-Charges and counter-charges then select a third party, a woman satis- "I trust that you will find room for erican ship Evelyn was mined off Borflowed in upon the court by the con- factory both to Mrs. Knight and these tables, as they will, I am sure, kum and on February 23 the American ship Carib was mined in the North davits and petitions. Attorney W. A ship & custody until the boy reached The printed list shows that from Sea. No lives were lost in either ac-



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**MEAT IS NOT** 

BARRED

more than in tons or been and other

large list has been booked at the lo-

(Special Wireless to Merchants'

Exchange.

Tuesday, April 20, 1915.

BALBOA—Arrived, April 19, S. S. Mex

Radiograms

656 tons cargo; 70 tons beef. All

well. Proceeds to San Francisco

ria Wednesday, 6 a. m., and pro-

ceeds to Sydney same day at 1 p. m.

31. According to reports this is the

fastest time since the days' when

the coast, and it is time which has

not been equal in fifteen and perhaps

Loaded with more than 3000 tons of

general cargo before leaving San

steamer Enterprise is reported to

have arrived at Hilo late Saturday

The bark R. P. Rithet omitted a

call at Honolulu on its last voyage.

The vessel was an arrival at Mahuko-

na, Hawaii, yesterday morning, ac-

Henry Sheldon in the steamer Kilau-

ea. The Rithet is asid to have car-

sundries. It will load a full shipment

If You Are Nervous

and are losing weight, we recommend

exall Olive Oil

containing Hypophosphiles

for a short time. A prescription which

Benson, Smith & Co., Ltd.

**Emulsion** 

livery to coast refineries.

we gladly endorse.

cording to report brought by Purser

Enterprise is at Hilo.

the island of Hawaii.

S. S. VENTURA-Arrives from Syd

FROM THE ISLANDS

VESSELS TO AND

ic in from Hilo, April 1.

same day at 5 p. m.

S. NIAGARA—Arrives

pan Wednesday morning.

steaming schedule.

cal agency.

# GIVING DETAILS OF COMPROMISE REFRIGERATED Dutch

Finest Sweet Cookies in the land, always fresh,

Love's Biscuit and Bread Co.

MANY GUESTS REGISTER AT PLEASANTON HOTEL

Parker Smart, subject to certain spellipe dismissed. The guardianship pro- lia to Hawaii is not harrent in the cific bequests, the income and prin- ceeding commenced by Mrs. Knight authorities actionities are ideal cipal of the estate is given to Mr. in the third circuit before. Judge the product is consigned to the United Hurzder'er, Mrs. Frans. Smart with a request to give two- Matthewman was dismissed by con- States government and a guarantee is Sarah Lewis thirds of the income to Richard after sent last Monday for lack of jurisdic- given that it will be used as food for Miss E. Bare, Degat

five cabin and two steerage passen N. R. Perry, Asheville thirds of the income from the time on the Parker ranch and the right to gers to the islands. It will land to sacks of mail and 650 tons of general cargo on arrival here early Thurs-Cal.; Miss Bertha it Sort line day morning. The Oceanic liners do ward voyage, which brings them into

Mr. and Mr. T C Henolulu 24 hours ahead of a former laide, Eng.; Miss Comstance Water Woodchester, Firm, Apr. R. B. S. C. Brewer & Co. plan to despatch the Ventura to San Francisco at o'clock Thursday evening. The ves-Shadwell, London, Eng., Wiss ill a sel has accommodation for a number beth Landon, Indianapolis, Ind. of cabin and steerage passengers. A

> of \$1400 raised by a baseball benefit arranged by the California and All-Oahu teams last year. Thus far 40 patients have been admitted under the fund. There is a balance of about

ney Thursday, 7 a. m., with five cabin and one second class and two steerage passengers: 15 sacks mail: examiner and staff

April Co. an

and belching of food gas, indigestion etc. A teaspoonful in a fourth of a The New York assembly passed a glass hot water usually gives INbill abolishing the New York board of STANT RELIEF. Sold by all drugcoroners and substituting a medical gists in either powder or tablet form at 50 cents per bottle.

## HOTEL PLAZA

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an the Heart of the shopping and Theater Districts. Stockton street cars direct to the Exposition in eight minutes.

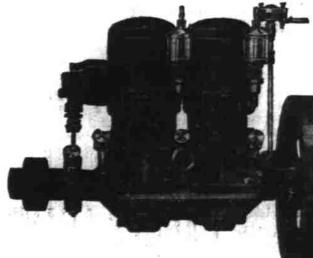
JOHN G. BARKER, Formerly Co-Proprietor Hotel Stewart.

ROBT, J. ROBINSON, Asst. Manager.

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"The rations that have been fed to chicks in our boot accessful batch at chick feed as they would seratch out of the litter; as much of the sprouted onmuch of the sour milk as they would drink; and a - much street beef scran a middle of the day in ten minutes. This is important, the not allow these to scrap, and do not feed it the very first thing in the promine when they are course they are supplied with charcoal, and with grat of a proper of

California Feed Company, Corner Alakea and Queen Streets

Honolulu